

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:18-CR-70-BR

UNITED STATES OF AMERICA

v.

JAVOB JAMES HARRISON, JR.

ORDER

This matter is before the court on defendant's letter filed 14 September 2020 requesting that his sentence be reduced to time served. (DE # 47.) The court notes that on 12 July 2020, the court received a similar letter from defendant. (DE # 45.) The court construed that letter as a motion under 18 U.S.C. § 3582(c)(1)(A) and denied it without prejudice to defendant exhausting his administrative remedies with the Bureau of Prisons. (DE # 46.) The court construes the instant letter similarly. Before filing a § 3582(c)(1) motion with the sentencing court, the defendant must submit a request to the warden of his facility requesting the Bureau of Prisons to bring a motion on his behalf. 18 U.S.C. § 3582(c)(1)(A). After 30 days, if the defendant has not received a response to his request, he may then file a motion in the sentencing court. Id. Defendant's motion is DENIED WITHOUT PREJUDICE to defendant refiling his motion after exhausting his administrative remedies.

This 14 October 2020.



W. Earl Britt
Senior U.S. District Judge